

port on H.R. 17755, appropriations for the Department of Transportation for fiscal 1971. Mr. Sidney R. Yates, of Illinois, rose with a parliamentary inquiry:

MR. YATES: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER PRO TEMPORE:<sup>(16)</sup> The gentleman will state his parliamentary inquiry.

MR. YATES: Mr. Speaker, as I understand, in order to have specific instructions given to the conferees it is necessary that the previous question be voted down; is that correct? I mean on the motion to recommit?

THE SPEAKER PRO TEMPORE: The Chair will state that the gentleman from Illinois is in error. The previous question on the conference report has to be ordered before there can be a motion to recommit.

## § 16. Offering Motion; Who May Offer

### *Member Controlling Debate*

#### § 16.1 The Member in control of debate may move the previous question and cut off debate, either before or after the adoption of the rules.

On Jan. 4, 1965,<sup>(17)</sup> the House was considering House Resolution 2, offered by the Majority Leader,

16. Wilbur D. Mills (Ark.).

17. 111 CONG. REC.20, 89th Cong. 1st Sess.

Carl Albert, of Oklahoma, authorizing the Speaker to administer the oath of office to Mr. Richard L. Ottinger, of New York. The following occurred:

MR.[JAMES C.] CLEVELAND [of New Hampshire]: Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

MR. ALBERT: I yield for a parliamentary inquiry.

MR. CLEVELAND: If this resolution is adopted, will it be impossible for me to offer my own resolution pertaining to the same subject matter, either as an amendment or a substitute?

THE SPEAKER:<sup>(18)</sup> If the resolution is agreed to, it will not be in order for the gentleman to offer a substitute resolution or an amendment, particularly if the previous question is ordered.

MR. CLEVELAND: Is it now in order, Mr. Speaker?

THE SPEAKER: Not unless the gentleman from Oklahoma yields to the gentleman for that purpose.

MR. CLEVELAND: Mr. Speaker, will the gentleman yield?

MR. ALBERT: The gentleman from Oklahoma does not yield for that purpose.

MR. CLEVELAND: Mr. Speaker, a parliamentary inquiry. Will there be any opportunity to discuss the merits of this case prior to a vote on the resolution offered by the gentleman from Oklahoma?

THE SPEAKER: The gentleman from Oklahoma has control over the time. Not unless the gentleman from Oklahoma yields for that purpose. . . .

18. John W. McCormack (Mass.).

MR. [THOMAS G.] ABERNETHY [of Mississippi]: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER: Does the gentleman from Oklahoma yield to the gentleman from Mississippi for the purpose of submitting a parliamentary inquiry?

MR. ALBERT: Mr. Speaker, I move the previous question on the resolution.

THE SPEAKER: The question is on the motion.

The previous question was ordered.<sup>(19)</sup>

### ***Member Yielding Floor for Amendment***

#### **§ 16.2 A Member controlling time for debate in the House may not yield to another Member to offer an amendment without losing the floor and the right to move the previous question.**

On Mar. 13, 1939,<sup>(20)</sup> the House was considering House Resolution 113, providing for an investigation of the milk industry in the District of Columbia. Mr. Charles A. Halleck, of Indiana, was controlling the floor for debate when Mr. John Taber, of New York, rose with a parliamentary inquiry.

MR. TABER: Mr. Speaker, if the gentleman from Indiana should yield to

the gentleman from Wisconsin to offer an amendment, the gentleman from Indiana yields control of the floor under the rule.

THE SPEAKER:<sup>(1)</sup> The Chair has already stated that.

MR. TABER: And the right to move the previous question would vest in the gentleman from Wisconsin.

THE SPEAKER: That is a correct interpretation of the rule.

#### **§ 16.3 While the Member in charge of a resolution in the House ordinarily loses the floor and the right to move the previous question if he yields for an amendment, he may move the previous question on the resolution following disposition of the amendment where the proponent of the amendment has not done so and where no other Member seeks recognition.**

On Apr. 29, 1971,<sup>(2)</sup> the House was considering House Resolution 274, providing funds for the Committee on Internal Security. With Mr. Frank Thompson, Jr., of New Jersey, in control of the resolution on the floor of the House the following occurred:

MR. THOMPSON of New Jersey: . . . I now yield 2 minutes to the gentleman

19. See also 116 CONG. REC. 20876, 91st Cong. 2d Sess., June 23, 1970.

20. 84 CONG. REC. 2663-73, 76th Cong. 1st Sess.

1. William B. Bankhead (Ala.).

2. 117 CONG. REC. 12489, 12504, 12505, 92d Cong. 1st Sess.

from Ohio for the purpose of offering an amendment.

THE SPEAKER:<sup>(3)</sup> The gentleman from Ohio is recognized.

MR. [WAYNE L.] HAYS [of Ohio]: Mr. Speaker, I have an amendment which I propose to offer. I want to read it to the House as the Clerk may have trouble with my handwriting. . . .

THE SPEAKER: The gentleman from Ohio is recognized for 5 minutes in support of the amendment. . . .

The question is on the amendment offered by the gentleman from Ohio (Mr. Hays) to the committee amendment. . . .

The question was taken; and there were—yeas 257, nays 129, not voting 46. . . .

So the amendment to the committee amendment was agreed to. . . .

MR. THOMPSON of New Jersey: Mr. Speaker, I move the previous question on the committee amendment, as amended, and on the resolution.

The previous question was ordered.

THE SPEAKER: The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

**§ 16.4 A Member who lost the floor on a resolution by yielding for an amendment was recognized to move the previous question on the resolution following rejection of the amendment, where no other Member sought recognition.**

On June 2, 1971,<sup>(4)</sup> Mr. Kenneth J. Gray, of Illinois, was controlling

3. Carl Albert (Okla.).

4. 117 CONG. REC. 17502, 17504, 92d Cong. 1st Sess.

House debate on House Resolution 449, which created additional positions and provided an overtime pay system for United States Capitol Police.

MR. GRAY: . . . Mr. Speaker, I yield to the gentleman from Missouri (Mr. Hall) for the purpose of offering an amendment.

MR. [DURWARD G.] HALL [of Missouri]: Mr. Speaker, I offer an amendment. . . .

THE SPEAKER:<sup>(5)</sup> The question is on the amendment offered by the gentleman from Missouri.

The amendment was rejected.

MR. GRAY: Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

***Member Yielding Floor for Debate***

**§ 16.5 The Member who yielded the floor to another Member for one hour of debate was recognized at the end of that hour to move the previous question.**

On July 5, 1945,<sup>(6)</sup> Mr. Malcolm C. Tarver, of Georgia, offered a motion to correct the Congressional Record of July 2, 1945, to reflect a colloquy between Mr.

5. Carl Albert (Okla.).

6. 91 CONG. REC. 7221–25, 79th Cong. 1st Sess.

Tarver and Mr. John E. Rankin, of Mississippi.

MR. TARVER: . . . Mr. Speaker, I yield the floor.

MR. RANKIN: Mr. Speaker, I ask for recognition.

THE SPEAKER:<sup>(7)</sup> The gentleman is recognized.

MR. RANKIN: For how long?

THE SPEAKER: The gentleman may speak for an hour if he wishes.

After the hour's debate:

MR. TARVER: Mr. Speaker, I move the previous question.

The previous question was ordered.

***Member Having Floor to Offer a Motion***

**§ 16.6 A Member having the floor to offer a motion may move the previous question thereon although another Member claims recognition to offer a motion of higher privilege; but the motion of higher privilege must be put before the previous question.**

On Sept. 13, 1965,<sup>(8)</sup> at the conclusion of the reading of the Journal, Mr. Carl Albert, of Oklahoma, rose to his feet and made the following motions:

MR. ALBERT: Mr. Speaker, I move that the Journal be approved as read;

7. Sam Rayburn (Tex.).

8. 111 CONG. REC. 23600, 23601, 89th Cong. 1st Sess.

and on that I move the previous question.

MR. [DURWARD G.] HALL [of Missouri]: Mr. Speaker, I move that that motion be laid on the table; and I offer an amendment to the Journal.

THE SPEAKER:<sup>(9)</sup> The Chair will state that the motion to lay on the table is in order, but the amendment is not in order.

What is the motion of the gentleman from Missouri?

MR. HALL: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER: The gentleman will state it.

MR. HALL: Mr. Speaker, during the reading of the Journal, section by section, I asked at what time it might be amended; and if I understood the distinguished Speaker correctly he said that if such an amendment were submitted by the gentleman from Missouri or any other person at any time it would be in order at the end of the reading of the Journal.

THE SPEAKER: The gentleman from Missouri has a correct recollection of what the Chair said at that time. However, the gentleman from Oklahoma [Mr. Albert] has made a motion that the Journal as read be approved and upon that he has moved the previous question.

MR. HALL: Then, Mr. Speaker, I move to table that motion.

THE SPEAKER: The question is on the motion to lay on the table the motion that the Journal be approved as read.

9. John W. McCormack (Mass.).